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09/828,856	04/10/2001	Hsi-Hsun Huang	MSIP0038USA	6956
43831	7590	11/22/2006	EXAMINER	
BERKELEY LAW & TECHNOLOGY GROUP 1700NW 167TH PLACE SUITE 240 BEAVERTON, OR 97006			GIBBS, HEATHER D	
			ART UNIT	PAPER NUMBER
			2625	

DATE MAILED: 11/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments filed 09/12/06 have been fully considered but they are not persuasive. Applicant argues Cantwell does not teach a "location for saving scanning data". Upon further review, the Examiner finds this newly added limitation to be taught in Col 3 Lines 3-12. The code uses the information about the device to select 30 a driver from the device. Once the driver has been selected 30, the driver is downloaded 32 from the driver website and installed 34 on the client (computer 4).

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –  
(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1,3-4,9-14, 17,19-23 are rejected under 35 U.S.C. 102(e) as being anticipated by Cantwell (US 6,594,690).

For claim 1, which is representative of claims 12 and 17, Cantwell teaches a server for a network, the server enabling a user at a station to scan a document at a scanner, the server comprising: a database of scanner drivers (device drivers stored at website at intranet server or internet server; Col 2 Lines 9-14); a driver selection

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system to enable the user to select a driver for the scanner from the database of scanner drivers in response to one or more inputs provided to a browser hosted at said station and received at said server over a data transmission network (computer communicates with server through connection; Col 2 Lines 3-8, user selects driver; Col 3 Lines 3-7); a destination selection system to enable said user to select a location from said browser for saving said scanning data (Col 3 Lines 3-7); and a delivery system to transfer said selected driver to said station(driver downloaded by website and installed on computer; Col 3 Lines 8-12).

For claim 3, which is representative of Claim 22, Cantwell teaches wherein the predetermined location comprises a universal resource locator (URL) (Col 2 Lines 21-28).

Considering claim 4, Cantwell discloses wherein the location specifies a media to be used to save the scanning data (Col 2 Lines 15-20).

For claim 9, Cantwell teaches wherein the selected driver is transferred to the computer in a self-extracting file format (Col 2 Lines 45-53).

For claim 10, Cantwell discloses wherein the driver is adapted to be removed from the computer after the scanning data is saved in said location (Col 3 Lines 13-18).

For claim 11, Cantwell teaches wherein the server further comprises a network connected adapted to transmit information between said data transmission network and at least one of said driver selection system and/or said delivery system (Col 3 Lines 13-18).

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Considering claim 13, Cantwell teaches wherein said server is further adapted to populate a menu viewable at said computer on said browser identifying two or more of said plurality of scanner drivers (Col 1 Lines 34-44).

Regarding claim 14, which is representative of claim 19, Cantwell teaches wherein said server is adapted to render said menu according to a hypertext transfer protocol (Col 2 Lines 20-34).

Considering claim 20, Cantwell teaches wherein said enabling selection of said at least one of said scanner drivers in response to said received information comprises receiving inputs from a menu rendered on said browser (Col 2 Lines 20-67).

For claim 21, which is representative of claim 23, Cantwell teaches wherein said location comprised an electronic mail (e-mail) address (Col 2 Lines 21-28).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 5-8,15,16,18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cantwell (US 6,594,690) in view of House et al (US 6,785,805).

For claim 5, which is representative of claim 18, Cantwell discloses the server as described above.

Cantwell does not disclose expressly a login system adapted to enable said user to access said driver selection system following establishing an identity of the user.

House discloses a login system adapted to enable said user to access said driver selection system following establishing an identity of the user (Col 29 Lines 13-22).

Cantwell & House are combinable because they are from the same field of endeavor, network driver devices.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine House with Cantwell by incorporating a login system in the server.

The suggestion/motivation for doing so would have been to provide personalized user information, so that only authorized users are able to gain access to the server, and thus maintaining the security of the system.

Therefore, it would have been obvious to combine House with Cantwell to obtain the invention as specified in claim 5.

For claim 6, House teaches wherein the login system is adapted to correlate the identity of the user with an account on the server, and wherein the scanning data is saved in association with the account (Col 29 Lines 23-42).

For claim 7, it would be inherent for the account to comprise an email account.

For claim 8, House teaches a viewing system for enabling the user to view the scanning data saved in the account (Col 11 Lines 56-67; Ref 100).

Regarding claim 15, House teaches wherein said server comprises a login system that enables said computer to access said driver selection system in response to authentication of said user (Col 29 Lines 13-22).

For claim 16, Cantwell discloses wherein said server is adapted to store one or more cookies on said computer in response to said authentication (Col 2 Lines 40-67).

6. Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cantwell (US6, 594,690) in view of Schneider et al (US 5,587,533).

Cantwell discloses the server as discussed above.

Cantwell does not disclose expressly wherein said destination selection system is further adapted to determine whether said user has write permission associated with said location; and warn said user if said location is not a valid destination for storing said scanning data.

Schneider discloses scanned data that is stored under a user defined file name and the user is queried if the scanned data is to be saved or not (Col 23 Lines 31-44).

Cantwell & Schneider are combinable because they are from the same field of endeavor, scanning objects.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine Schneider with Cantwell.

The suggestion/motivation for doing so would have been to provide a warning system for the user.

Therefore, it would have been obvious to combine Schneider with Cantwell to obtain the invention as specified in claim 24.

### ***Conclusion***

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

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§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Heather D. Gibbs whose telephone number is 571-272-7404. The examiner can normally be reached on M-Thu 8AM-7PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K. Moore can be reached on 571-272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



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Heather D Gibbs  
Examiner  
Art Unit 2625

hdg



~~THOMAS D LEE~~  
PRIMARY EXAMINER